

REMARKS

Claims 1-8 are pending in the present application. With entry of this amendment, Applicants amend claims 1, 2 and 4. Reexamination and reconsideration are respectfully requested.

A. Restriction Requirement

Applicants respectfully note that the Office Action is unclear as to which claims are being examined. At page 2, the Examiner indicated that claims 2-6 have been rejoined and that claims 1-6 are now being examined. However, the Examiner subsequently indicated that claims 4-6 are withdrawn.

Applicants respectfully submit that claims 4-6 should be examined as the Examiner initially indicated. The Examiner noted that the recitation "a distance from the outer end portion of said first plate to said first fixing portion is equal to a distance from said bent portion to said second fixing portion of the second plate" in claim 4 reads on Fig. 4. Fig. 4 shows a first plate 21, a bent portion 23 and a second plate 22. The recited distance from the outer end of the first plate 21 is L_2 . The recited distance from the bent portion 23 is L_1 . As is clearly seen, the distance L_2 is equal to the distance L_1 . Applicants respectfully agree with the Examiner that the recitation reads on Fig. 4, but further submit that the recitation also reads on elected Fig. 3. Fig. 3 shows the same first plate 21, the same bent portion 23, the same second plate 22 and the same distances L_1 and L_2 . Thus, the recitation of claim 4 reads on both Figs. 3 and 4. As a result, claim 4 should be examined as the Examiner initially indicated. Accordingly, Applicants have rejoined claim 4 and its dependent claims 5 and 6, which read on Figs. 3 and 4.

B. Amendments

Applicants have amended claim 1 to recite "said fixing member being a member *for* fixing said angle member" as opposed to a member "capable of" fixing the angle member.

Applicants have amended claim 2 to better claim the invention. For example, "it" or "its" are recited throughout the claim. Claim 2 has been amended to clarify that the "it" is referring to the angle member.

Applicants have amended claim 4 to depend from claim 1.

C. Rejections

The Examiner rejected claims 1-3 under 35 U.S.C. § 102(e) as being anticipated by Zappacosta (U.S. Patent No. 6,700,491). The rejection is respectfully traversed.

1. Claim 1

The present invention, as set forth in claim 1, is directed to an electronic device with a side face having a stepped portion to which a mountain-shaped angle member is fixable. The stepped portion has a first wall portion projecting outward from the side face, a second wall portion recessed inward and a connecting portion connecting the first and second wall portions. For example, in Figs. 3 and 4, the mixer 1 has a stepped side face 12 having a first wall portion 14 projecting outward from the side face 12, a second wall portion 15 recessed inward and a connecting portion 16.

It should be emphasized that these portions belong to the mixer 1 and not to the angle member 20 affixed to the mixer 1. Claim 1 further recites that the electronic device includes a fixing member for detachably fixing the angle member to the first wall portion. For example, Figs. 3 and 4 illustrate screw 28 fixing angle member 20 to first wall portion 14.

Finally, claim 1 as amended recites that the fixing member is "a member for fixing said angle member in any one of a first attachment mode in which said angle member is in contact with said first wall portion and opposed to said connecting portion and a second attachment mode in which said angle member is in contact with said first wall portion and overhangs outward said first wall portion." Figs. 3 and 4 illustrate that the fixing member 28 is for fixing angle member 20 in the

first attachment mode as illustrated in Fig. 3 or in a second attachment mode with an overhang as illustrated in Fig. 4.

Zappacosta discloses an assembly for retaining a computer expansion card. As illustrated in Figs. 1 and 2, card 20 is attached to mounting panel 10 via mounting bracket 18 and retaining bracket 22 through fasteners 50.

In the Office Action, the Examiner contends that portion 62 meets the recited first wall portion, that ledge 14 meets the recited second wall portion and that retaining bracket 22 meets the connecting portion. As is clear from Fig. 1, portion 62 and ledge 14 are integrally connected. Retaining bracket 22 does *not* connect portion 62 and ledge 14 as the Examiner contends.

Moreover, the Examiner cites finger 26 of bracket 22 as meeting the recited angle member. However, claim 1 makes clear that the connecting portion is part of the electronic device and separate from the angle member. Thus, retaining bracket 22 cannot be both the recited connecting portion (part of the electronic device) and the angle member (fixable to the electronic device).

Finally, Zappacosta fails to disclose that fastener 50 is for fixing an angle member in any one of two attachment modes. As discussed above, Applicants have amended claim 1 to recite that the fixing member is *for* fixing the angle member in any one of two attachment modes. This means that the fixing member actually fixes – and not just capable of fixing – the angle member in two possible configurations. If the Examiner considers the retaining bracket 22 as meeting the angle member, fastener 50 structurally does not – and indeed cannot – fix the bracket in two possible configurations. The bracket 22 can be fixed in only one way as illustrated in Fig. 2. If the bracket 22 is flipped so that the fingers 26 are pointing upward, fastener opening 38 would not be aligned with fastener opening 16 and, thus, fastener 50 would not fix bracket 22 in that configuration.

Accordingly, Applicants respectfully submit that claim 1 is not anticipated by Zappacosta.

2. Claims 2 and 3

Claim 2 as amended recites "wherein said angle member functions as a member for protecting said side face when said angle member is fixed to said main body by a fixing member such that an inner angled surface of said angle member is opposed to said side face, and functions as a member for mounting said main body on a rack when said angle member is fixed to said main body by said fixing member such that an outer angled surface of said angle member is opposed to said side face."

The recitation makes clear that the angle member is fixed to the main body in two possible ways. One way is that the inner angled surface of the angle member is opposed to the side face of the main body, and a second way is that is that the outer angled surface of the angle member is opposed to the side face of the main body. The retaining bracket 22 of Zappacosta, which the Examiner considers as meeting the recited angle member, is not fixed to the panel 10 in two possible ways. It can only be fixed to the panel 10 in the way illustrated in Fig. 2. Accordingly, claim 2 is not anticipated by Zappacosta.

Claim 3 is not anticipated by Zappacosta for the reasons set forth above with respect to claim 2. Furthermore, claim 3 recites that "both end portions of said angle member in the longitudinal direction have different shapes respectively . . ." The Examiner points to the two ends of the retaining bracket 22 where the two fastener openings 38 are located. However, it is clear from Fig. 1 that these two ends have an *identical* shape. Accordingly, claim 3 is not anticipated by Zappacosta for at least this reason as well.

3. Claims 4-6

As discussed above, claim 4 has been amended to depend from claim 1. It recites that the angle member has a first plate and a second plate and that "said first plate is provided with a first fixing portion for fixing to said side face; said second plate is provided with a second fixing portion for fixing to said side face; and a distance from the outer end portion of said first plate to said first fixing portion is equal to a distance from said bent portion to said second fixing portion of the

second plate." The retaining bracket 22 in Zappacosta does not meet this recitation at all. The bracket does not have two plates with each plate having a fixing portion nor does it show the recited equal distances of claim 4.

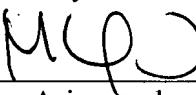
Accordingly, claim 4 is not anticipated by Zappacosta. Claims 5 and 6 which depend from claim 4 are likewise not anticipated by Zappacosta for at least the reasons set forth above. Withdrawn dependent claims 7 and 8 are likewise not anticipated by Zappacosta.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue. If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 393032041000.

Dated: October 19, 2007

Respectfully submitted,

By 
Mehran Arjomand

Registration No.: 48,231
MORRISON & FOERSTER LLP
555 West Fifth Street, Suite 3500
Los Angeles, California 90013
(213) 892-5630